

STATE OF NORTH DAKOTA



*Information Technology Department
Telecommunications Division
600 E Boulevard Ave, Dept 112
Bismarck, ND 58505-0100*



Request For Proposal (RFP)

RFP Title: *STAGEnet Transport Services*

RFP Number: *112-0502*

Date: ***August 18, 2005***

ADDENDUM #2

Procurement Officer: *Brandy Peterson*

4.24

Performance Bond

A Performance Bond is required before the final contract is signed.

The amount of the performance bond must be \$2,000,000. The Performance Bond is to expire after final acceptance of network implementation of the Offeror's network as outlined in the Offeror's proposal. Final acceptance by the state will occur after new network has been developed and implemented by the contractor, passed tests conducted by the State, and determined to be fully operable, as defined during contract negotiations between the successful Offeror and the State.

The State will notify the contractor of any unsatisfactory performance, and the parties will negotiate to achieve a mutually satisfactory plan for resolution and establish a deadline for such resolution. If the contractor fails to satisfactorily perform the implementation as negotiated, the bonding company that provided the performance bond will be required to pay to an amount as needed for the State to complete the project and implement the network up to the dollar amount of the bond to the State.